

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**WSOU Investments, LLC d/b/a Brazos
Licensing and Development,**

Plaintiff,

v.

NEC Corporation,

Defendant.

Case No.: 6:20-cv-00923-ADA

Case No.: 6:20-cv-00924-ADA

Case No.: 6:20-cv-00925-ADA

Case No.: 6:20-cv-00926-ADA

Case No.: 6:20-cv-00927-ADA

Jury Trial Demanded

**DECLARATION OF CHRISTOPHER A. BUXTON IN SUPPORT OF
DEFENDANT NEC CORPORATION'S
RE-SUBMITTED OPENING CLAIM CONSTRUCTION BRIEF**

I, CHRISTOPHER A. BUXTON, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and have personal knowledge of each of the matters set forth in this Declaration, and if called as a witness, would testify competently to them.

2. I am an Attorney at Jones Day, where I represent Defendant NEC Corporation ("NEC") in the above-captioned cases filed by Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development ("WSOU").

3. I make this Declaration in support of NEC's Re-Submitted Opening Claim Construction Brief filed concurrently herewith.

4. Attached hereto as **Exhibit 2** is a true and correct copy of U.S. Patent No. 7,577,103.

5. Attached hereto as **Exhibit 3** is a true and correct copy of U.S. Patent No. 7,885,398.

6. Attached hereto as **Exhibit 4** is a true and correct copy of U.S. Patent No. 8,041,017.
7. Attached hereto as **Exhibit 5** is a true and correct copy of U.S. Patent No. 8,103,213.
8. Attached hereto as **Exhibit 6** is a true and correct copy of U.S. Patent No. 9,065,918.
9. Attached hereto as **Exhibit 7** is a true and correct copy of the File History for U.S. Patent Application No. 11/725,011, electronically retrieved from the records of the U.S. Patent and Trademark Office.
10. Attached hereto as **Exhibit 8** is a true and correct copy of the File History for U.S. Patent Application No. 12/203,746, electronically retrieved from the records of the U.S. Patent and Trademark Office.
11. Attached hereto as **Exhibit 9** is a true and correct copy of WSOU's Proposed Claim Terms for Construction, which WSOU counsel sent by email to NEC counsel on July 19, 2021.
12. Attached hereto as **Exhibit 10** is a true and correct copy of "Exhibit A" to WSOU's Disclosure of Preliminary Claim Constructions, which WSOU counsel sent by email to NEC counsel on August 5, 2021.
13. Attached hereto as **Exhibit 11** is a true and correct copy of WSOU's "Revised" Preliminary Claim Constructions, which WSOU counsel sent by email to NEC counsel on August 19, 2021.

14. Attached hereto as **Exhibit 12** is a true and correct copy of WSOU's "Updated" Preliminary Claim Constructions, which WSOU counsel sent by email to NEC counsel on August 30, 2021.

15. Attached hereto as **Exhibit 13** is a true and correct copy of a letter dated July 7, 2021 from Stuart Yothers, counsel for NEC, to Jonathan Waldrop, counsel for WSOU, regarding Case No. 6:20-cv-00923-ADA (W.D. Tex.). I was an original recipient of this letter having been copied on the email by which it was sent and have personally reviewed its contents.

16. Attached hereto as **Exhibit 14** is a true and correct copy of a letter dated July 7, 2021 from Stuart Yothers, counsel for NEC, to Jonathan Waldrop, counsel for WSOU, regarding Case No. 6:20-cv-00924-ADA (W.D. Tex.). I was an original recipient of this letter having been copied on the email by which it was sent and have personally reviewed its contents.

17. Attached hereto as **Exhibit 15** is a true and correct copy of an email from Joshua Whitehill, counsel for WSOU, to NEC counsel on August 25, 2021, along with a true and correct copy of the Word document that was attached to that email.

18. All of the foregoing statements are true and correct to the best of my knowledge, information and belief.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 27th day of September, 2021 at Dallas, Texas.

By: 
Christopher A. Buxton